

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on December 7, 2004 at 7:01 p.m. after a 6:30 p.m. caucus session.

Mayor Carter presiding.

Mayor Carter led the Pledge of Allegiance to the United States of America.

The following members of the Council answered roll call: YEA Commissioner Mark Donnell, YEA Commissioner Harold Gambill, YEA Commissioner Jerrold Hesse, YEA Commissioner David Schilling, YEA Mayor David E. Carter.

Commissioner Schilling seconded by Commissioner Donnell moved to approve the minutes of the regular meeting held on November 16 and special meeting on November 30, 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Gambill moved to approve the reports of the Police Department for the months of September and October.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Schilling seconded by Commissioner Donnell moved to approve bills and payroll for the last half of November and first payroll of December.

**Bills and Payroll for the last half of November  
and first payroll of December**

**General Fund**

Payroll		\$	479,141.08
Bills		\$	<u>549,443.73</u>
	Total	\$	1,028,584.81

**Hotel Tax Fund**

Payroll		\$	2,718.46
Bills		\$	<u>771.04</u>
	Total	\$	3,489.50

**Festival Management**

Bills		\$	<u>2,809.18</u>
	Total	\$	2,809.18

**Midtown TIF Fund**

Bills		\$	<u>16,875.33</u>
	Total	\$	16,875.33

**Capital Project Fund**

Bills		\$	<u>11,359.25</u>
	Total	\$	11,359.25

**Water Fund**

Payroll		\$	65,640.81
Bills		\$	<u>522,009.99</u>
	Total	\$	587,650.80

**Sewer Fund**

Payroll		\$	58,505.25
Bills		\$	<u>52,134.05</u>
	Total	\$	110,639.30

**Cemetery Fund**

Payroll		\$	4,201.34
Bills		\$	<u>131.65</u>
	Total	\$	4,332.99

**Health Insurance Fund**

Bills		\$	<u>80,939.50</u>
	Total	\$	80,939.50

**Motor Fuel Tax Fund**

Bills		\$	<u>19,403.18</u>
	Total	\$	19,403.18

**Revolving Loan Fund**

Bills		\$	<u>47.50</u>
	Total	\$	47.50

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Schilling seconded by Commissioner Gambill moved to adopt Special Ordinance 2004-1055 (Substitute), revising the budget for the governmental and enterprise funds based upon audited carry forward balances for the prior fiscal year, updated estimates of revenue and expenditures.

CITY OF MATTOON, ILLINOIS

*SPECIAL ORDINANCE NO. 2004-1055 (SUBSTITUTE)*

AN ORDINANCE REVISING THE BUDGET FOR THE GOVERNMENTAL AND ENTERPRISE FUNDS OF THE MUNICIPALITY FOR THE FISCAL YEAR THAT ENDS APRIL 30, 2005 BASED UPON AUDITED CARRY-FORWARD BALANCES, UPDATED ESTIMATES OF REVENUES AND EXPENDITURES

WHEREAS, **Special Ordinance 2004-1030 approved April 29, 2004 adopted a budget for the municipality for the 2004/2005 fiscal year, and**

WHEREAS, **the Council has administratively directed certain budget revisions since the beginning of the fiscal year;**

WHEREAS, **it is now necessary to formally revise the budget based upon audited carry-forward balances, updated estimates of revenues and expenditures for the first six months of the fiscal year.**

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, **as follows:**

**Section 1. Carry forward balances and updated estimates of revenues and expenditures shown in the budget spreadsheets dated November 22, 2004 (copies of which are attached and incorporated herein by reference) are hereby adopted as the revised budget for the City of Mattoon for the fiscal year that began May 1, 2004 and ends April 30, 2005, but with changes outlined Section 2 of this ordinance.**

Section 2.

**A. Revenues in the revised budget at Page 4 for transfer of personal property replacement taxes in Library Fund Account 171-4901-010 are decreased from \$44,984 to \$27,804; expenditures in the revised budget at Page 57 in General Fund Account 110-5922-822 are decreased from 44,984 to \$27,804. The \$24,359 interfund payable of personal property replacement taxes will be extinguished in the balance sheet asset and liability accounts.**

**B. Revenues in the revised budget at Page 13 for interfund charges from the Motor Fuel tax fund in General Fund Account 110-4902-010 are increased from \$11,380 to \$60,000; expenditures in the revised budget at Page 61 in Motor Fuel Tax Fund Account 121-5935-822 are decreased from \$71,380 to \$60,000. The \$11,380 interfund payable from the Motor Fuel Tax Fund to the General Fund will be extinguished in the balance sheet asset and liability accounts. \$60,000 remains in the revised budget as an interfund charge of the General Fund receivable from the Motor Fuel Tax fund to recover payroll expenses for a construction inspection internship authorized by Council Decision Request 2004-317.**

**C. Revenues in the revised budget at Page 13 for interfund charges from the Revolving Loan Fund in General Fund Account 110-4908-010 are decreased from \$1,380 to -0-; expenditures in the revised budget at Page 61 in Revolving Loan Fund Account 127-5935-822 are decreased from \$1,380 to -0-. The \$1,379 interfund payable from the Revolving Loan Fund to the General Fund will be extinguished in the balance sheet asset and liability accounts.**

**D. Expenditures in the revised budget at Page 44 for the grant to the Council on Aging in General Fund Account 110-5421-825 are increased from \$23,000 to \$30,000.**

**E. Expenditures in the revised budget at Page 21 for transfer of personal property replacement taxes to the Police Pension Fund in General Fund Account 110-5211-232 are decreased from \$220,512 to \$43,945. The \$176,567 interfund payable from the General Fund to the Police Pension Fund of personal property replacement taxes will be extinguished in the balance sheet asset and liability accounts.**

**F. Expenditures in the revised budget at Page 30 for transfer of personal property replacement taxes to the Firefighters Pension Fund in General Fund Account 110-5241-233 are decreased from \$258,559 to \$43,945. The \$214,614 interfund payable from the General Fund to the Firefighters Pension Fund of personal property replacement taxes will be extinguished in the balance sheet asset and liability accounts.**

**G. Expenditures in the revised budget at Page 37 for street lighting in General Fund Account 110-5326-321 are increased from \$25,000 to \$119,000; expenditures in the revised budget at Page 60 for street lighting in Motor Fuel Tax Fund Account 121-5326-321 are decreased from \$99,000 to -0-. These revisions will enable more cash resources to be available in the Motor Fuel Tax Fund for street improvements.**

**H. Expenditures in the revised budget at Page 70 for Workers Compensation Insurance in Insurance & Tort Judgment Fund Account 125-5150-250 are decreased from \$251,359 to \$243,393.**

**I. Expenditures in the revised budget at Page 70 for Property & Casualty Insurance in Insurance & Tort Judgment Fund Account 125-5150-523 are increased from \$328,535 to \$332,258.**

**J. Expenditures in the revised budget at Page 70 for Boiler & Machinery Insurance in Insurance & Tort Judgment Fund Account 125-5150-526 are increased from -0- to \$7,655.**

**Section 3.** The City Council hereby continues a moratorium on hiring employees to replace employees who leave the active employment of the City where not barred by a collective bargaining agreement. Replacement employees may be hired only upon the affirmative vote of four (4) members of the City Council.

**Section 4.** This ordinance shall be deemed published as of the day of its adoption and shall become effective upon its approval by the City Council.

**Section 5.** The City Clerk shall make and file with the Clerk of Coles County, a duly certified copy of this ordinance.

**Upon motion by Commissioner Schilling, seconded by Commissioner Gambill, adopted this 7th day of December, 2004, by a roll call vote, as follows:**

**AYES**

**(Names): Commissioner Donnell, Commissioner Gambill**

**Commissioner Hesse, Commissioner Schilling**

**Mayor Carter**

**NAYS**

**(Names):** **None**

**ABSENT**

**(Names):** **None**

**APPROVED this 7<sup>th</sup> day of December, 2004.**

**/s/ David E. Carter**

**David E. Carter, Mayor**

**City of Mattoon, Coles County, Illinois**

**ATTEST:**

**/s/ Susan J. O'Brien**

**/s/ J. Preston Owen**

**Susan O'Brien, City Clerk**

**J. Preston Owen, City Attorney**

Recorded in the Municipality's Records on 7<sup>th</sup> day of December, 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Donnell moved to adopt Ordinance 2004-5195, dissolving the Police & Fire Advisory Board.

## **CITY OF MATTOON, ILLINOIS**

### **ORDINANCE NO. 2004-5195**

#### **AN ORDINANCE DISSOLVING THE POLICE & FIRE ADVISORY BOARD**

**WHEREAS**, the City has heretofore had the benefit and service of a Police and Fire Advisory Board, whose appointment, terms, organization, duties and officers were prescribed in Section 34.02 of Chapter 34 of the Mattoon Code of Ordinances; and

**WHEREAS**, the City Council finds that the roles anticipated for this Board are generally roles and duties that are the responsibility of the Police and Fire Chiefs and the Board of Fire and Police Commissioners.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Mattoon as follows:

**Section 1.** Section §34.02 of Chapter 34 of the Mattoon Code of Ordinances is hereby repealed.

**Section 2.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 3.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Carter, seconded by Commissioner Donnell, adopted this 7th day of December, 2004, by a roll call vote, as follows:

**AYES (Names):** **Commissioner Donnell, Commissioner Gambill**

**Commissioner Hesse, Commissioner Schilling**

**Mayor Carter**

Approved this 7<sup>th</sup> day of December, 2004.

**/s/ David E. Carter**

David E. Carter, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien

/s/ J. Preston Owen

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 8, 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Schilling moved to adopt Ordinance 2004-5196, altering the composition of the Festivals Management Committee.

**CITY OF MATTOON, ILLINOIS**  
**ORDINANCE NO. 2004-5196**

**AN ORDINANCE ALTERING THE COMPOSTION OF THE FESTIVALS MANAGEMENT COMMITTEE**

**BE IT ORDAINED** by the City Council of the City of Mattoon as follows:

**Section 1.** Paragraph C of Section §32.17 of Chapter 32 of the Mattoon Code of Ordinances is hereby repealed and re-enacted as follows:

(C) The Festivals Management Committee shall consist of seven members, whose appointments are made by the City Commissioner responsible for Tourism Development subject to ratification by the City Council. The Tourism Coordinator and the City Commissioner responsible for Tourism Development serve as ex-officio, non-voting members of the Committee. The Tourism Coordinator serves as the Chair of the Committee.

**Section 2.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 3.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Donnell, seconded by Commissioner Schilling, adopted this 7<sup>th</sup> day of December, 2004, by a roll call vote, as follows:

AYES (Names): Commissioner Donnell, Commissioner Gambill,

Commissioner Hesse, Commissioner Schilling,

Mayor Carter

NAYS (Names): None

ABSENT (Names):None

Approved this 7<sup>th</sup> day of December, 2004.

/s/ David E. Carter

David E. Carter, Mayor

City of Mattoon, Coles

County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien

/s/ J. Preston Owen

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 8th, 2004.

Mayor Carter opened the floor for discussion. Mayor Carter inquired as to the effect of the alterations. Commissioner Donnell stated the Commissioner and Tourism Director had previously been voting members, and would change the two positions to ex-officio (non-voting) members of the Festival Management Committee.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Donnell moved to adopt Special Ordinance 2004-1058, approving an interest rate and terms for a \$300,000 loan from the Revolving Loan Fund to 750 Broadway L.L.C. to acquire the former Blaw-Knox premises and improvements.

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**CITY OF MATTOON, ILLINOIS**

**SPECIAL ORDINANCE NO. 2004-1058**

**AN ORDINANCE APPROVING AN INTEREST RATE AND TERMS FOR A \$300,000 LOAN FROM THE REVOLVING LOAN FUND TO 750 BROADWAY LLC TO ASSIST WITH THE ACQUISITION OF THE FORMER BLAW-KNOX PREMISES AND IMPROVEMENTS**

**WHEREAS**, the City of Mattoon has a Community Development Assistance Program (CDAP) Revolving Loan (RLF) Program, and

**WHEREAS**, 750 BROADWAY LLC has submitted a Revolving Loan Fund (RLF) Application for RLF funds in the amount of three hundred thousand dollars (\$300,000) to acquire the former Blaw-Knox real estate; and

**WHEREAS**, at a meeting held December 1, 2004, the Mattoon Revolving Loan (RLF) Committee reviewed said Application and recommended City Council approval in accordance with applicable Federal, State and Local guidelines,

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Mattoon as follows:

**Section 1.** That the City Council hereby approves the 750 BROADWAY LLC RLF loan request in the amount of three hundred thousand dollars (\$300,000) for a fixed interest rate of 50% of the prime interest rate or 3%, which ever is less at the time of loan closing, and for a term of ten (10) years.

**Section 2.** The Municipal Clerk is hereby directed to file a certified copy of this ordinance in the City Revolving Loan File.

**Section 3.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 4.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Carter, seconded by Commissioner Donnell, adopted this 7th day of December, 2004, by a roll call vote, as follows:

AYES (Names): Commissioner Donnell, Commissioner Gambill,

Commissioner Hesse, Commissioner Schilling,

Mayor Carter

NAYS (Names): None

ABSENT (Names): None

Approved this 7th day of December, 2004.

/s/ David E. Carter

David E. Carter, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien

/s/ J. Preston Owen

Susan O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 8<sup>th</sup>, 2004.

Mayor Carter opened the floor for discussion. Mayor Carter discussed with Doug McDermand of Coles County Regional Planning the interest rate of 2.5% for the loan.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mr. Tom Bieling of 750 Broadway LLC expressed appreciation for the efforts of everyone involved, and promised to keep the property tidy as long as they were owners.

Commissioner Gambill seconded by Commissioner Hesse moved to adopt Special Ordinance 2004-1059, approving a contract with William Jones d/b/a Jones Construction for demolition services at the site of the old water treatment plant in exchange for a portion of the old water treatment plant real estate.

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CITY OF MATTOON, ILLINOIS

***SPECIAL ORDINANCE NO. 2004-1059***

**AN ORDINANCE APPROVING A CONTRACT WITH WILLIAM JONES D/B/A JONES CONSTRUCTION FOR DEMOLITION SERVICES AT THE SITE OF THE OLD WATER TREATMENT PLANT IN EXCHANGE FOR A PORTION OF THE OLD WATER TREATMENT PLANT REAL ESTATE**

**WHEREAS**, in Resolution No. 2004-2567, adopted November 16, 2004, the City Council made a finding that the old water treatment plant real estate is no longer necessary or required for the use of the municipality and authorized the management staff of the municipality to negotiate for a proposal that would exchange the old water treatment plant real estate as a term of a contract for the demolition of structures on the site; and

**WHEREAS**, said resolution provided that any such contract negotiated shall be subject to ratification by the City Council; and

**WHEREAS**, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

**WHEREAS**, the demolition services that would be provided in exchange for the real estate that would be conveyed by this ordinance has a value of twenty-eight thousand eighty dollars (\$28,080); and,

**WHEREAS**, the real estate that would be conveyed by this ordinance has an appraised value less than the estimated value of the demolition services.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** The mayor is authorized to sign a contract with William Jones d/b/a Jones Construction, a copy of which is attached and incorporated by reference.

**Section 2.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 3.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Gambill, seconded by Commissioner Hesse, adopted this 7<sup>th</sup> day of December, 2004, by a roll call vote, as follows:

AYES (Names):            Commissioner Donnell, Commissioner Gambill  
Commissioner Hesse, Commissioner Schilling,  
Mayor Carter

NAYS (Names):           None

ABSENT (Names):        None

Approved this 7th day of December, 2004.

/s/ David E. Carter

David E. Carter, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien

/s/ J. Preston Owen

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 8, 2004.

Mayor Carter opened the floor for discussion. Commissioner Gambill stated that the \$110,000 budgeted amount for the demolition of the old water treatment plant was basically saved and indicates the progressive attitude of the Council.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Schilling moved to adopt Resolution 2004-2568, approving an update to the Occupational Health and Safety Manual Adopting Trenching and Excavation Safety Procedures.

CITY OF MATTOON, ILLINOIS

***RESOLUTION NO. 2004-2568***

**A RESOLUTION APPROVING AN UPDATE TO THE OCCUPATIONAL SAFETY AND HEALTH MANUAL  
ADOPTING TRENCHING & EXCAVATION SAFETY PROCEDURES**

**WHEREAS**, at meeting held November 19, 2004, the Safety Committee considered and recommended an update to the Occupational Safety and Health Manual that supplements the manual approved by prior resolutions of the City Council; and

**WHEREAS**, it is now necessary for the City Council to consider this update and supplement to the safety manual.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS** that the mayor and city clerk are authorized to sign a document indicating the Council's approval of "Trenching & Excavation Safety Procedures", a copy of which is attached hereto and incorporated by reference.

Upon motion by Mayor Carter, seconded by Commissioner Schilling, adopted this 7th day of December, 2004, by a roll call vote, as follows:

AYES (Names): Commissioner Donnell, Commissioner Gambill

Commissioner Hesse, Commissioner Schilling

Mayor Carter

NAYS (Names): None

ABSENT (Names):None

APPROVED this 7th day of December, 2004.

/s/ David E. Carter

David E. Carter, Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

/s/ J. Preston Owen

Susan O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 8, 2004.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Donnell moved to adopt Resolution 2004-2569, authorizing an agreement with the Coles



County Regional Planning and Development Commission for up to \$6,000 of technical assistance services.

**CITY OF MATTOON RESOLUTION NO. 2004-2569**

**RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENT FOR  
TECHNICAL ASSISTANCE SERVICES WITH THE COLES COUTY REGIONAL  
PLANNING AND DEVELOPMENT COMMISSION**

WHEREAS, the City of Mattoon has selected the Coles County Regional Planning and Development Commission to provide certain Technical Assistance Services to the city; and

WHEREAS, the City Council has examined the proposed contract agreement a copy of which is attached hereto and incorporated by reference and entitled “Technical Assistance Agreement” Between the City of Mattoon and the Coles County Regional Planning and Development commission,” and finds said contract agreement to be acceptable,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mattoon, Illinois, that the City enter into and execute said Contract Agreement with the Coles County regional Planning and Development Commission. The mayor is authorized to execute said Agreement.

Presented, Passed and Adopted at a regular meeting of the Mattoon City Council this 7<sup>th</sup> day of December, 2004.

	AYE	NAY	ABSENT
Mayor : Dave Carter	X		
City Council			
Mark Donnell	X		
Harold Gambill	X		
Jerry Hesse	X		
Dave Schilling	X		

ATTEST: APPROVED

<u>/s/ Susan J. O’Brien</u>	<u>/s/ David E Carter</u>
City Clerk	Mayor

(SEAL)

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Schilling moved to adopt Resolution 2004-2570, authorizing an agreement with the Coles County Regional Planning and Development Commission for up to \$2,100 of services for administration and coordination of the City’s Revolving Loan Fund.

**CITY OF MATTOON RESOLUTION NO. 2004-2570**

**RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENT  
FOR REVOLVING LOAN FUND ADMINISTRATION & COORDINATION  
SERVICES WITH THE COLES COUNTY REGIONAL PLANNING &  
DEVELOPMENT COMMISSION**

WHEREAS, the City of Mattoon operates a State of Illinois capitalized Revolving Loan Fund, and;

WHEREAS, the Coles County Regional Planning and Development Commission has been deemed by the City council as qualified to administer said Revolving Loan Fund, said Commission furnishing a proposed contract agreement for Revolving Loan Fund administration services to the City, and

WHEREAS, the City Council has examined the proposed contract agreement, entitled “Contract Agreement for administration

and Coordination Services for State Capitalized Revolving Loan Fund,” and finds the agreement to be acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Mattoon, Coles County, Illinois that the City enter into and execute this Contract Agreement for Administrative Services with the Coles County regional Planning and Development Commission. The Mayor is authorized to execute said AGREEMENT.

Presented, Passed and Adopted at a regular meeting of the City council of the City of Mattoon, Illinois, this 7<sup>th</sup> day of December, 2004.

	AYE	NAY	ABSENT
Mayor: Dave Carter	.X		
City Council			
Mark Donnell	X		
Harold Gambill	X		
Jerry Hesse	X		
Dave Schilling	X		

Approved:	Attest:
<u>/s/ David Carter</u> Mayor	<u>/s/ Susan J. O’Brien</u> City Clerk

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Gambill seconded by Commissioner Donnell moved to adopt Resolution 2004-2571, authorizing the mayor to sign an agreement with ERC/Coles County Landfill, Inc. for treatment of leachate at Mattoon’s wastewater treatment plant.

CITY OF MATTOON, ILLINOIS

**RESOLUTION NO. 2004-2571**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH ERC/COLES COUNTY LANDFILL, INC. FOR THE TREATMENT OF LEACHATE AT MATTOON’S WASTEWATER TREATMENT PLANT**

**BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, that the Mayor is authorized to sign an agreement with ERC/Coles County Landfill, Inc., a copy of which is attached and incorporated herein by reference, subject to an amendment to Paragraph 9 whereby notice provided to the municipality shall be given to the City Clerk in addition to the Chief Operator of the Wastewater Treatment Plant.

Upon motion by Commissioner Gambill, seconded by Commissioner Donnell, adopted this 7th day of December, 2004, by a roll call vote, as follows:

AYES (Names):            Commissioner Donnell, Commissioner Gambill,  
                                 Commissioner Hesse, Commissioner Schilling,  
                                 Mayor Carter

NAYS (Names):           None

ABSENT (Names):        None

Approved this 7th day of December, 2004.

/s/ David E.Carter  
David E. Carter, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien

/s/ J. Preston Owen

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on December 8, 2004.

Mayor Carter opened the floor for discussion. Council discussed the savings of money through the disposal of solid waste, and thanked Rick Pinnell, Wastewater Treatment Plant Chief Operator, for his efforts.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Gambill moved to approve Council Decision Request 2004-388, accepting the resignation of Jim Donnell as a Captain in the Fire Department, reappointing Donnell to a Driver/Engineer position and appointing Keith Orndorff to succeed Donnell in a Captain position effective December 11, 2004.

Mayor Carter opened the floor. Council discussed Mr. Donnell's desire to fight fires instead of managing personnel.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Schilling moved to approve Council Decision Request 2004-389, authorizing the city attorney to draft and the mayor to sign an agreement that would reimburse Rob Perry up to \$1,000 from TIF Revenues for costs of relocating a fire hydrant incidental to the construction of improvements at 1713 – 1721 Marion Avenue in the Midtown TIF District.

Mayor Carter opened the floor for discussion. Commissioner Schilling with input from Community Development Coordinator Kyle Gill, Public Works Director David Wortman, City Attorney/Treasurer J. Preston Owen, and City Administrator Richard Underkofler discussed the project cost with an estimated value of \$160,000, annual increment revenue in the amount of \$4,769.25, and \$95,385 in total increment revenues over the life of the Midtown TIF District

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Gambill seconded by Commissioner Schilling moved to approve Council Decision Request 2004-390, approving an assignment of Lake Paradise Lease #59 from Carrie Brooks to Scott King subject to evidence of a properly operating septic system.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Gambill seconded by Commissioner Schilling moved to approve Council Decision Request 2004-391, authorizing the mayor to sign a \$9,750 agreement with Daily & Associates for engineering services for the repair and repainting of defective work on the clarifier and filters at the new water treatment plan.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Schilling seconded by Commissioner Hesse moved to approve Council Decision Request 2004-392, authorizing the city attorney to draft and the mayor to sign an agreement with Howard's Disposal Services commencing May 1, 2005 at \$9,000 per year for a three-year term incidental to the local cash matching share of a grant application for Howard Disposal Services to acquire seven drop-off containers, a baler and other recycling equipment.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill,

YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Schilling moved to approve Council Decision Request 2004-393, appointing and reappointing persons to the Board of Zoning Appeals. (Ivan Croy, David Moberly & Mary Pollum to terms expiring April 30, 2005, Steve Matheny to a term expiring April 30, 2007, William Whitworth and W.D. "Pill" Fisher to terms expiring April 30, 2008)

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, NAY Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Schilling moved to approve Council Decision Request 2004-394, appointing Debbie Crean & Dave Cox and reappointing Pat Gaines to the Festival Management Committee for terms expiring April 30, 2007.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Gambill moved to recess to closed session at 7:27 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1), the purchase of real property for the use of the municipality (5 ILCS 120(2)(5); the setting of a price for sale or lease of property owned by the municipality (5 ILCS 120(2)(6); litigation affecting or on behalf of the City of Mattoon (5 ILCS 120/2(c)(11); and review of Dan McClain's performance appraisal report as Construction Inspector.

Council reconvened from closed session at 8:05 p.m.

Mayor Carter opened the floor for public discussion. Administrator Underkofler and Director Wortman discussed with the Council the Lake Paradise lease document changes, buffer easement area, conservation buffer area, design criteria for roads, and subdivision criteria. The lease document changes would be presented at a future homeowners' meeting. Director Wortman discussed snow removal and roadwork. Council discussed obligations and road lifecycles.

Commissioner Schilling seconded by Commissioner Gambill moved to adjourn at 8:18 p.m.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

/s/Susan J. O'Brien  
City Clerk